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PATENT
2786-01999

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kinneret SAVITZKY et al. Conf.:
Appl. No.: 10/031,607 Group: Unassigned
Filed: January 22, 2002 Examiner: UNASSIGNED
For: SPLICE VARIANTS OF CD40-RECEPTOR

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION
OR WITH A RULE 1.114 RCE APPLICATION)

Assistant Commissioner for Patents
Washington, DC 20231

June 12, 2002

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

- b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☒ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

Appl. No. 10/031,607

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



Marc S. Weiner, #32,181

MSW/bsh
2786-0199P

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Enclosures:

- ☒ PTO-1449
- ☒ Documents
- ☒ Foreign Search Report
- ☐ Fee
- ☐ Other:

APR 1 1999

Form PTO-1449								78000000 2786-0199P						78000000 10/031,607									
INFORMATION DISCLOSURE CITATION IN AN APPLICATION																							
												Kinneret SAVITZKY et al.											
												January 22, 2002											
												Unassigned											
U.S. PATENT DOCUMENTS																							
EXAMINER INITIAL	DOCUMENT NUMBER							DATE				NAME					CLASS	SUB CLASS	FILING DATE IF APPROPRIATE				
FOREIGN PATENT DOCUMENTS																							
DOCUMENT NUMBER								DATE				COUNTRY					CLASS	SUB CLASS	TRANSLATION				
																			YES	NO			
	EP	05	55	8	8	0	A2	08/18/1993				EPO											
	WO	98	53	8	4	2	A1	12/03/1998				PCT											
	WO	97	23	6	1	4	A1	07/03/1997				PCT											
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)																							
	Database EMBL "Online" EMBL; ID HS884118; AC R49884, (May 24, 1995); Hillier L et al.: "CD40L receptor precursor" XP002155584 EST nucleotide sequence																						
	Database EMBL "Online" EMBL; ID A1784157; AC A1784157, (2 July 1999) National Cancer Institute, Cancer Genom Anatomy Project (CGAP): "CD40L receptor precursor" XP002155585 EST nucleotide sequence																						
	Database EMBL "Online" EMBL; ID HSH94398; AC H4398, (December 6, 1995); Hillier L et al.: CD40L receptor precursor" XP002155586 EST nucleotide sequence																						
	Database GCG GENESQ-D "Online" GCG; ID V64740; AC V64740, (January 29, 1999); Capon D et al.: "Human immunodeficiency virus" XP002155587 HIV anti-viral oligonucleotide primer																						
	Database EMEST "Online" EMBL; ID MMA60117; AC AA060117, (September 24, 1996); Marra M et al.: Mouse murine CD40 mRNA" XP002155588 EST nucleotide sequence																						
	van Kooten et al., <i>Frontiers in Bioscience</i> 1, pp.1-11 (January 1, 1997)																						
EXAMINER												DATE CONSIDERED											
EXAMINER Initial: Citation considered whether or not citation is pertinent under MPEP § 809. Draw line through citation if not in conformity and not considered. Include copy of this form with next submission, prior applicant.																							